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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	
)	Chapter 11
CIRCIT CITY STORES, INC., <i>et al.</i>)	
)	Case No. 08-35653 - KRH
Debtors.)	
)	Jointly Administered

MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE

LumiSource, Inc. (“LumiSource”), a creditor in the above-captioned chapter 11 cases, by and through its undersigned counsel, and pursuant to the Court’s Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures, hereby moves for leave of Court to attend the January 14, 2010 hearing by telephone. In support thereof, LumiSource states as follows:

1. On November 10, 2008 (the “Petition Date”), the above-captioned debtors and debtors-in-possession (collectively, “Debtors”), filed voluntary petitions in this Court for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).

2. On January 29, 2009, LumiSource timely filed a claim, designated as claim number 7792, in the total amount of \$392,000.00. Of its total claim LumiSource alleged that \$235,200.00 was secured based upon LumiSource's timely reclamation demand.

3. On June 22, 2009, the Debtors filed the Debtors' Nineteenth Omnibus Objection to Claims (Reclassification of Certain Misclassified Claims to General Unsecured, Non-Priority Claims) [Docket No. 3703] (the "Objection").

4. On July 16, 2009, LumiSource filed a response to the Objection [Docket No. 4122] in which LumiSource rejected the Debtors' assertion that the \$235,200.00 portion of LumiSource's claim ("LumiSource's Secured Claim") should be classified as a "general unsecured claim" because LumiSource asserted a lien on the proceeds that resulted from the sale of its goods that were subject to LumiSource's timely reclamation demand.

5. On December 18, 2009, the Debtors filed a Motion for Summary Judgment (the "Motion for Summary Judgment") asking the Court to reclassify LumiSource's Secured Claim as a general unsecured claim.

6. On January 11, 2010, LumiSource filed a Response to and Joinder of LumiSource, Inc. to: (A) the Opposition of Paramount Home Entertainment Inc. to Debtors' Motion for Summary Judgment with Respect to Certain Claims Subject to the Debtors' Nineteenth and Thirty-Third Omnibus Objections to Claims; and (B) Denon Electronics (USA) LLC and Boston Acoustic, Inc.'s Opposition to Debtors' Motion for Summary Judgment with Respect to Certain Claims Subject to the Debtors' Nineteenth and Thirty-Third Omnibus Objection to Claims [Docket No. 6246] (the "Opposition to Summary Judgment"), in which LumiSource responded to the Motion for Summary Judgment and joined in the responses filed by Paramount Home Entertainment, Inc., Denon Electronics (USA) LLC and Boston Acoustic,

Inc. In the Opposition to Summary Judgment, LumiSource provided the Court with compelling arguments and authorities as to why the Motion for Summary Judgment should be denied.

7. Arguments related to the Motion for Summary Judgment and the Opposition to Summary Judgment will be heard by this Court on January 14, 2010 at 2:00 p.m.

8. LumiSource's lead counsel, John M. Brom, has been representing LumiSource and has a unique and complete understanding of the facts and circumstances related to the arguments made by LumiSource in the Opposition to Summary Judgment as well as the arguments made by the Debtors in the Motion for Summary Judgment.

9. Mr. Brom practices law in Chicago, Illinois and is permitted to appear in this Court and be heard *pro hac vice* as counsel to LumiSource, Inc., pursuant to an Order entered in this case on December 3, 2008 [Docket No. 674].

10. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (the "Order"). On page 5 of Exhibit A, the Order states:

(g) Upon request, the Court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the court is granted on a case by case basis.

11. Mr. Brom will not be able to appear in person on January 14, 2010 because he will be in Chicago, Illinois. In light of the fact that the hearing involves oral argument only, LumiSource respectfully asks for leave of court pursuant to the Order so that he may appear by telephone with LumiSource's local counsel present in the courtroom.

12. Based on Mr. Brom's unique knowledge of the facts and legal arguments in this case, the ends of justice would be served by allowing Mr. Brom to appear by telephone.

WHEREFORE, LumiSource, Inc. respectfully requests that this Court grant its Motion and enter an Order substantially in the form annexed hereto permitting John M. Brom to appear and be heard by telephone at the hearing on January 14, 2009 on behalf of LumiSource, Inc. and grant such other relief as necessary and appropriate.

LUMISOURCE, INC.

/s/ W. Alexander Burnett

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Motion for Leave of Court to Attend Hearing by Telephone was filed and served this 11th day of January, 2010, electronically using the Court's ECF System, was sent by electronic mail to circuitcityservice@mcguirewoods.com and project.circuitcity@skadden.com, and was sent by first class mail, postage prepaid, to the entities at the addresses indicated below:

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